

Exhibit 6

HONORABLE JAMES I. ROBART

UNITED STATES DISTRICT COURT, WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

KAMIE KAHLO and DANIEL KAHLO, on
behalf of themselves and all others similarly
situated,

Plaintiffs,

v.

BANK OF AMERICA, N.A. and BAC
HOME LOANS SERVICING, LP,

Defendants.

No. 2:10-cv-00488-JLR

DECLARATION OF ERIKA BROWN

I, Erika Brown, declare as follows:

1. I am over the age of 18 and I am otherwise competent to testify to the following based on my own personal knowledge.

2. From June 2009 through June 2010 I was employed by Bank of America as a customer service representative. My job consisted of speaking on the telephone with homeowners who had loans with Bank of America. The majority of my job was spent talking to homeowners who were calling regarding a loan modification that they had applied for as part of Home Affordable Modification Program (HAMP).

3. Bank of America's practice is to string homeowners along with no apparent intention of providing the permanent loan modifications it promises. The processes Bank of

DECLARATION OF ERIKA BROWN

America uses, and the instructions it gives its employees, appear to be designed to avoid modifying mortgage loans.

4. I was instructed to inform every homeowner who called in that their file was "under review" – even where the computer system showed that the file had not been accessed in months or when the homeowner had been rejected for a modification.

5. My co-workers and I were instructed to tell homeowners that modification documents were not received on time or not received at all when, in fact, all documents were received on time. We were also instructed to tell homeowners that documents were sent on a particular date, when they had not been sent at all.

6. Bank of America regularly ignored completed loan modifications and did not treat the loan as having been modified in its computer system. Even after a homeowner signed and returned modification documents, Bank of America's computer system continued to show the loan as delinquent. Bank of America continued to report homeowners as delinquent to credit reporting agencies, and went forward with foreclosure.

7. During my time at Bank of America, I saw well over a hundred cases in which a Bank of America "analyst" cancelled loan modifications and stated non payment as reason for the cancellation when it was apparent from the computer system that the homeowner had actually made all the required payments. There was nothing on the computer system to suggest that the analyst's cancellation was anything but arbitrary.

8. During my time at Bank of America, I saw records regarding hundreds of homeowners that Bank of America treated dishonestly. These homeowners were eligible for loan modifications under HAMP, sent back all the required documents and made all their required payments under a trial plan. Bank of America nevertheless damaged their credit ratings by reporting them delinquent, tacked on additional charges to their loans, increased the amounts it considered as being owed, and often referred these homeowners to foreclosure.

9. During my time at Bank of America I saw records regarding hundreds of homeowners in Trial Plans but cannot recall any homeowners who had a trial plan properly converted to a permanent plan following three or four successful payments. Many of the records I saw showed homeowners who made more than six or seven timely payments under Trial Plans, but had not received a permanent modification and were being treated as being in default.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE

EXECUTED this 30 day of June, 2010 at Dallas, Texas

By Erika Brown
Erika Brown